



Department of Defense DIRECTIVE

NUMBER 5129.46

June 12, 1969

ASD(A)

SUBJECT: Advanced Research Projects Agency Activities in Foreign Countries

References: (a) DoD Directive 5129.33, "Department of Defense Advanced Research Projects Agency," December 30, 1959

1. PURPOSE

This Directive establishes policy governing the establishment and conduct of research, development, test and evaluation (RDT&E) projects within foreign countries by the Advanced Research Projects Agency (ARPA).

2. APPLICABILITY AND SCOPE

The provisions of this Directive apply to and provide guidance for the Military Departments, the Joint Chiefs of Staff, the Director of Defense Research and Engineering, the Assistant Secretary of Defense (International Security Affairs), commanders of Unified Commands, and the Advanced Research Projects Agency on the establishment and conduct of ARPA assigned RDT&E activities within foreign countries.

3. POLICY

3.1. Proposals by any element of DoD for RDT&E projects to be conducted by ARPA in foreign countries will be submitted to the Director, ARPA, with information copies to the Joint Chiefs of Staff, the Commander of the cognizant Unified Command, and the Military Departments, as appropriate. Proposals must include sufficient details regarding nature, scope, timing, parameters, personnel, cost and equipment required to permit determination of the impact on military responsibilities,

compatibility with the communications-electronics environment, technical and fiscal feasibility and politico-military implications.

3.2. ARPA will review proposals to determine their technical feasibility and consistency with the overall ARPA RDT&E Program and availability of resources. ARPA will advise the originator of the proposal, and all concerned, as to concurrence or nonconcurrence in the proposal.

3.3. ARPA will coordinate proposals in which it concurs with the Assistant Secretary of Defense (International Security Affairs) for review of politico-military implications and coordination with the Department of State as required. When ARPA activities are conducted in a foreign country on a continuing basis, the Assistant Secretary of Defense (International Security Affairs), in conjunction with the Department of State, may establish arrangements wherein this coordination is effected through the embassy or subordinate authorities in-country.

3.4. Commanders of Unified Commands, or specifically designated subordinate commanders, will review project proposals to determine impact on in-country military responsibilities, including the communications-electronics environment, and will notify ARPA, with information copies to the Joint Chiefs of Staff and Military Departments, as appropriate, of concurrence, nonconcurrence, or concurrence subject to constraints within thirty (30) days of receipt of a project proposal. Specific reasons for nonconcurrence will be stated.

3.5. If the commander of a Unified Command nonconcurs in the establishment of a project and the Joint Chiefs of Staff sustain his nonconcurrence, ARPA will establish such project only upon approval by the Secretary of Defense.

3.6. The policies prescribed for project approval also apply to major modification of ARPA projects. Any premature project termination by ARPA will be coordinated with the commander of the cognizant Unified Command, or his designated representative, to determine the in-country implications of project termination.

3.7. Command Relationships. The relationship between commanders of Unified Commands and ARPA activities within foreign countries will be in accordance with terms of reference established by the Joint Chiefs of Staff. Such terms of reference will support the following policies:

3.7.1. Direction or exercise of authority over ARPA field activities concerning technical matters such as engineering or scientific aspects of equipment or

weapons development and non-material research, and administrative matters such as personnel management, funds management, supply and services is vested in the Director, ARPA. ARPA field activities are authorized to maintain direct contact with ARPA for technical and internal administrative matters.

3.7.2. The commander of a Unified Command will exercise, through in-country military representatives, such control or coordination of ARPA field activities as is necessary to ensure that such activities do not have adverse impact on U.S. and host country military operations or the communications-electronics environment, are compatible with established in-country relationships, and that agreed-upon support for ARPA field organizations is provided. Such control will not extend to the technical aspects of ARPA projects or to matters of internal ARPA administration. Commanders of Unified Commands will ensure that ARPA field-personnel and contractors are fully apprised of the control to be exercised by in-country military representatives.

3.8. Reference (a) provides, among other things, that ARPA will make full use of established facilities in the Military Departments and other DoD agencies rather than unnecessarily duplicating such facilities. Accordingly, the Director, ARPA will make specific agreements with the commander of the Unified Command concerning support to be provided ARPA field activities from in-country resources assigned to the commander. Such agreements will include the conditions for reimbursement when reimbursement for support expenditures is considered appropriate.

3.9. ARPA will provide commanders of Unified Commands, the Joint Chiefs of Staff and the Military Departments concerned, with periodic progress reports on projects implemented. Within thirty (30) days of receipt of a progress or final report, the commander of the Unified Command will forward comments and/or recommendations, as appropriate, to the Joint Chiefs of Staff, ARPA and the Military Departments concerned.

3.10. Projects being conducted in the area of responsibility of a commander of a Unified Command will be reviewed periodically, at least annually, by the commander and ARPA together, with respect to their continuation, expansion, consolidation, redirection or termination.

4. EFFECTIVE DATE

This Directive is effective immediately. ARPA overseas projects being conducted on the date of this Directive will be considered approved under the terms herein.

A handwritten signature in black ink, appearing to read "David Patrick". The signature is fluid and cursive, with a large loop at the end.

Deputy Secretary of Defense